

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,	)	
	)	
Plaintiff,	)	<b>AMENDED ORDER</b>
	)	
vs.	)	
	)	Case No. 1:19-cr-017
Jacob Orion Youpee,	)	
	)	
Defendant.	)	

Defendant is currently scheduled to be released on March 4, 2019, to attend a substance abuse evaluation and residential treatment (if recommended). See Doc. No. 60. Now before the court is a motion for furlough filed by defendant on February 28, 2019. Defendant is requesting to be released on March 1, 2019, to attend funeral services for his uncle.

There being no objection from the Government, the court **GRANTS** defendant's motion (Doc. No. 78). Defendant shall be released no earlier than 12:00 p.m. on March 1, 2019. His release shall be subject to the following conditions:

- (1) Defendant must not violate federal, state, tribal, or local law while on release.
- (2) Defendant must appear in court as required and must surrender to serve any sentence imposed..
- (3) Defendant shall report to the Pretrial Services Office at such times and in such manner as designated by the supervising officer.
- (4) Defendant shall refrain from: any use of alcohol; any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. § 802 or state statute, unless prescribed by a licensed medical practitioner; and any use of inhalants.

Defendant shall submit to drug/alcohol screening at the direction of the Pretrial Services Officer to verify compliance. Failure or refusal to submit to testing or tampering with the collection process or specimen may be considered the same as a positive test result.

- (5) Defendant shall not possess a firearm, destructive device, or other dangerous weapon.
- (6) Defendant shall not knowingly or intentionally have any direct or indirect contact with any co-defendants or witnesses, except that counsel for the defendant, or counsel's agent or authorized representative, may have such contact with such person(s) as is necessary in the furtherance of the defendant's legal defense.
- (7) Defendant shall submit his person, residence, vehicle, and/or possessions to a search conducted by a Pretrial Services Officer at the request of the Pretrial Services Officer. Failure to submit to a search may be grounds for revocation of pretrial release. Defendant shall notify any other residents that the premises may be subject to searches pursuant to this condition.
- (8) Defendant shall report to the Parshall Resources Center on March 4, 2019, for his scheduled substance abuse evaluation. In the interim, he shall reside at the address he has provided to the Pretrial Service Officer. Additionally, he shall provide the Pretrial Services Officer with contact information where he can be reached at all times.
- (9) If defendant is immediately accepted and admitted into the Parshall Resource Center's inpatient treatment program following his evaluation on March 4, 2019, he shall reside at the treatment facility, fully participate in the treatment program, and

comply with all the treatment programs rules and regulations. He shall also execute releases as necessary so that the Pretrial Services Officer can monitor his program in treatment. Upon his admission, he shall immediately contact Pretrial Service Officer Allison Gehringer at (701) 297-7244.

- (10) If defendant is not immediately admitted into treatment or if he is discharged from the treatment program, he shall immediately report to the United States Marshal in Bismarck, North Dakota, unless otherwise directed with the understanding that he shall be detained pending further order of the court.

**IT IS SO ORDERED.**

Dated this 1st day of March, 2019.

/s/ Charles S. Miller, Jr.  
Charles S. Miller, Jr., Magistrate Judge  
United States District Court